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PART-IIA

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 12th November, 2010.

No.SW(S)54/91/Part/424.—On conclusion of the Departmental Proceedings, the Governor of Meghalaya is pleased to impose the following penalty, Under Rule 7 (III) of the Assam Services (Discipline & Appeal) Rules, 1964 as adapted by Meghalaya, in respect of Smti. V. H. Blah, Ex-Child Development Project Officer, ICDS Project, Mawphlang.

The Total pecuniary loss of Rs. 9,96,658/- (Rupees nine lakhs ninety six thousand six hundred fifty eight) only, caused to the Government shall be recovered in 144 installments @ Rs. 6860/- p. m. and an additional last installment @ Rs. 8,818/- p.m.

The period of suspension with effect from 22nd December, 2004 to 10th December, 2008 shall be treated as 'On duty' for the purpose of pension only. During the period of suspension, she would have been entitled to subsistence allowance only as per rule and no other benefit.

A. SOM,

Commissioner & Secretary to the Government of Meghalaya,
Social Welfare Department.

The 16th November, 2010.

No.RDS.50/2004/78.—In exercise of the powers conferred under Section-11 (d) (i) of the Meghalaya Transfer of Land (Regulation) Act, 1971, the Governor of Meghalaya is pleased to specify the Numaligarh Refinery Ltd as a Company to which the provisions of the said Act, shall not apply in relation to transfer of land measuring 10,000 sq.m (more or less) located at Mynkre, Elaka Narpuh, Jaintia Hills (and more fully described in the Schedule below) by way of lease for a period of 30 years from Shri Wallang Dong to the Numaligarh Refinery Ltd for the purpose of setting up of a retail outlet.

SCHEDULE

Location of the land	-	Mynkre, Elaka Narpuh, Jaintia Hills District.
Area of the land	-	10,000 Sq. m.
Name of Transferor	-	Shri Wallang Dong.

BOUNDARY

North	-	Land of Shri Plot Dkhar.
East	-	N.H. 44.
South	-	Paddy field of Shri Wahlang (Chial).
West	-	Paddy field of Shri Wahlang (Chial) and land of Shri Bok Phawa.
Total Area	-	10,000 Sq. m.

S. R. WALLANG,

Under Secretary to the Government of Meghalaya,
Revenue and Disaster Management Department.

The 3rd November, 2010.

The Meghalaya Right to Information Rules, 2010

No.PER.11/2009/28 - In exercise of the powers conferred by clause (d) of sub-section (2) of Section 27 of the Right to Information Act, 2005, (Central Act No. 22 of 2005) the Governor of Meghalaya is pleased to make the following rules regulating the method of recruitment to post of officers and other employees of the Meghalaya State Information Commission, namely :-

1. **Short title and commencement :-**

(1) These rules shall be called the Meghalaya State Information Commission (Salaries and Allowances, Terms and Conditions of service of Officers and Employees) Rules, 2010.

(2) They shall come into force from the date of their publication in the Official Gazette of Meghalaya.

2. **Definitions :-** (1) In these rules, unless the context otherwise requires :-

- (a) "Act" means the Right to Information Act, 2005 (Central Act No. 22 of 2005);
- (b) "Commission" means the Meghalaya State Information Commission;
- (c) "Schedule" means the schedule appended to these rules; and
- (d) "State Government" means the Government of Meghalaya.

(2) Words and expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

3. **Officers and Staff of the Commission :-**

- (a) The Commission shall have its officers and other employees as indicated in column 2 of the schedule.
- (b) The posts shall be filled up either by direct recruitment or by Government servants of equivalent rank on temporary transfer from any Department of the Government or on contract basis.
- (c) The method of recruitment for the posts except as clause (b) shall be in accordance with the method of recruitment in the Meghalaya Secretariat Service Rules.
- (d) The scale of pay including allowances admissible to the officers and employees in different posts shall be at par with the State Government officers and employees of equivalent rank and shall be subject to revision by Government from time to time.
- (e) All matters generally relating to leave, pension, discipline and other conditions of service shall be regulated by rules and orders as are from time to time applicable to other officers and employees of the Government of corresponding status.

4. **Power of Governor to dispense with or relax any rule :-** The Governor if satisfied may, in the public interest or where the operation of any of these rules causes undue hardships in any particular case, dispense with or relax that rule to such extent and subject to such conditions as he may consider necessary.

L.Diengdoh,
Secretary to the Govt. of Meghalaya
Personnel & A.R.(A) Department

Schedule
(See rule 3)

<i>Sl. No.</i>	<i>Designation</i>	<i>No. of Post</i>	<i>Scale of Pay</i>
1.	Secretary	1	Rs. 35,300 – 48,980
2.	Under Secretary	1	Rs. 23,300 – 39,270
3.	Sr. Private Secretary	1	Rs. 18,300 – 35,100
4.	Superintendent	1	Rs. 15,700 – 30,610
5.	Personal Assistant	1	Rs. 13,100 – 25,570
6.	U.D.A./Accountant	1	Rs. 14,100 – 25,080
7.	Data Entry Operator	1	Rs. 10,600 – 18,280
8.	L.D.A.	1	Rs. 11,300 – 19,880
9.	Driver	2	Rs. 7,700 – 15,020
10.	Peon/Cleaner	3	Rs. 6,500 – 12,700
11.	Process Server	1	Rs. 6,500 – 12,700
12.	Chowkidar	1	Rs. 6,500 – 12,700

The 4th November, 2010.

No.FEM(PC)-47/2010/22.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Civil Services (Pension) Rules, 1983 (hereinafter referred to as the Principal Rules), namely,-

THE MEGHALAYA CIVIL SERVICES (PENSION) (FIFTH AMENDMENT) RULES, 2010

1. **Short title and commencement:**— (1) These rules may be called the Meghalaya Civil Services (Pension) (Fifth Amendment) Rules, 2010.

(2) They shall be deemed to have come into force on the 1st day of January, 2007.

2. **Amendment of Rule 39:-** (1) Sub-rule (2) of Rule 39 of the Principal Rules as inserted by Correction Slip No.1 shall be substituted by the following:-

“(2) (a) - In the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than 30 (thirty) years against a sanctioned post/ service irrespective of substantive and/or officiating/temporary appointment, the amount of pension shall be calculated at fifty percent at average emoluments, subject to the maximum of Rs. 24,490.00 (Rupees twenty four thousand four hundred and ninety) per mensem.

“(b) - In the case of a Government servant retiring in accordance with the provisions of these rules before completing qualifying service of 30 (thirty) years, but after completing qualifying service of 10 (ten) years, the amount of pension shall be proportionate to the amount of pension admissible under Clause (a) and in no case the amount of pension shall be less than Rs. 3,250.00 (Rupees three thousand two hundred and fifty) per mensem.

“**Note:**—Government servants who have, retired on or after 1st January, 2007 but before 23rd February, 2010, shall be governed by rules/orders in force immediately before the said date of 23rd February, 2010”.

(2) Sub-rule (4) of the Principal Rules shall be substituted by the following:-

“(4) The amount of pension finally determined under Clause (a) or Clause (b) of Sub-rule (2) shall be expressed in whole rupee and where the pension contains a fraction of a rupee it shall be rounded off to the next higher rupee”.

(3) Sub-rule (5) of the Principal Rule shall, in view of sub-rule (1) above, shall be deleted.

3. The following shall be inserted after sub-rule (4) of Rule 39 of the Principal Rules:-

“**39A. Additional Quantum of pension:-** (1) Additional quantum of pension shall be payable as and when the pensioner attains the age of 80 (eighty) years and above as detailed below:-

Age of Pensioner	Additional quantum of Pension
(a) From 80 years to less than 85 years	: 20% of basic pension.
(b) From 85 years to less than 90 years	: 30% of basic pension.
(c) From 90 years to less than 95 years	: 40% of basic pension.
(d) From 95 years to less than 100 years	: 50% of basic pension.
(e) 100 years or more	: 100% of basic pension.

“(2) The Pension Sanctioning Authorities shall ensure that the date of birth and age of a pensioner is invariably recorded in the Pension Payment Order to facilitate payment of additional pension by the Pension Disbursing Authorities as soon as it becomes due. For example, in a case where the pensioner is more than 80 years of age but less than 85 years and his pension is Rs.10,000.00 per month, the Pension will be shown as (i) Basic Pension Rs.10,000.00 and (ii) Additional Pension Rs. 2,000.00.

Similarly, the pension on his attaining the age of 85 years, will be shown as (i) Basic Pension Rs.10,000.00 and (ii) Additional Pension Rs. 3,000.00 per month".

4. **Amendment of Rule 40 :-** (1) Under Clause (a) and (b) of sub-rule (1) of Rule 40 of the Principal Rules, the existing figures of ttRs. 3,50,000.00" shall be substituted by "Rs. 7,00,000.00".

(2) In sub-Rule (4) of Rule 40 of the Principal Rules, the words "seventeen thousand" shall be substituted by "forty eight thousand nine hundred and eighty".

5. **Amendment of Rule 46 :-** (1) Rule 46 of the principal rule shall be renumbered as "46(1)" and shall be substituted by the following:-

"46 (1). The monthly family pension is based on the "pay" drawn on the date of death or on the date of retirement, as the case may be, of the Government servant and is admissible at a uniform rate of thirty percent of pay last drawn, subject to the minimum of Rs. 3,250/- (Rupees three thousand two hundred fifty) and a maximum of Rs.14,694/- (Rupees Fourteen Thousand Six Hundred and Ninety Four) per mensem.

"(2). The amount of family pension shall be fixed at monthly rates and be expressed in whole rupees and where the family pension contains a fraction of a rupee, it shall be rounded off to the next higher rupee:

Provided that in no case a family pension in excess of the maximum prescribed under this rule shall be allowed".

"Note 2 below Rule 46:- In the Note 2 below Rule 46 of the Principal Rules, the figures "Rs.5,100.00" shall be substituted by "Rs.14,694.00".

6. The following shall be inserted as a "new rule" after Note 2 below Rule 46 of the principal rules:

"46A. Additional Quantum of family pension: (1) Additional quantum of family pension shall be payable as and when the family pensioner attains the age of eighty years and above as detailed below:

Age of Family Pensioner		Additional quantum of Family Pension.	
(a)	From 80 years to less than 85 years	:	20% of basic pension.
(b)	From 85 years to less than 90 years	:	30% of basic pension.
(c)	From 90 years to less than 95 years	:	40% of basic pension.
(d)	From 95 years to less than 100 years	:	50% of basic pension.
(e)	100 years or more	:	100% of basic pension.

"(2). The Pension Sanctioning Authorities shall ensure that the date of birth and age of family pensioner is invariably recorded in Form 17 (refer Rule 52 of Meghalaya Civil Services (Pension) Rules, 1983, as amended) and the Pension Payment Order to facilitate payment of additional family pension by the Pension Disbursing Authorities as soon as it becomes a due. The amount of additional family pension shall be shown distinctly. For examples, in a case where the family pensioner is more than 80 years of age but less than 85 years and his/her family pension is Rs. 5,000.00 per month, the family pension will be shown as (i) Basic Family Pension Rs. 5,000.00 and (ii) Additional Family Pension Rs.1,000.00. Similarly, the family pension on his/her attaining the age of 85 years, will be shown as (i) Basic Family Pension Rs. 5,000.00 and (ii) Additional Family Pension Rs. 1,500.00 per month.

7. **Amendment of Rule 48:-** (1) Rule 48 (i) of the Principal Rule shall be renumbered as "48 (1)" and substituted by the following:-

"48 (1). For the purpose of this rule, family shall include the following relatives of the Government servants:-

"(a) **First Category :-**

- (i) Widow or widower, up to the date of death or re-marriage, whichever is earlier;

- (ii) Son/daughter including widowed daughter up-to the date of his/her marriage/re-marriage or till the date he/she starts earning or till the age of twenty five years, whichever is earlier.

Note 1 : (ii) above will include legally adopted sons/daughters.

Note 2 : Post-retiral spouses/children born after retirement:- The family pension is admissible to post-retiral spouses and children born/adopted legally after retirement.

“(b) Second Category:-

- (iii) Unmarried/widowed/divorced daughter, not covered by First Category above, up to the date of marriage/re-marriage or till the date she starts earning or up to the date of death, whichever is earlier; and,
- (iv) Parents who were wholly dependent on the Government servant when he/she was alive. Family pension to dependent unmarried/widowed/divorced daughter/parents shall continue till the date of death.

Provided that the family pension to unmarried/widowed/divorced daughters in “Second Category” and dependent parents shall be payable only after the other eligible family members in “First Category” have ceased to be eligible to receive family pension. Grant of family pension to children in respective categories shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above him/her has become ineligible for grant of family pension in that category.

Note:-The income criteria for dependency in respect of eligible “Second Category” family pensioner(s) shall be the minimum family pension including dearness allowance thereon.

8. **Rule 51 (3):-** Immediately after Rule 51 (3) of the Principal Rule, add the following under caption “State Government Decision”.

“State Government Decision”

“Family Pension in respect of missing Government Servant”:

If a Government servant is missing and his/her whereabouts are not known, his/her family can be paid admissible claims/dues including retirement benefits. For the purpose, the family of the missing person should have lodged necessary complaint with the Police Station concerned and obtained a report that the concerned Government employee has not been traced after all efforts had been made. The claims of the family may be settled in the manner given below:-

- (1) **Claims payable in the first instance:** Pay and allowances as due and admissible, leave encashment, if any, and the amount of General Provident Fund.
- (2) **After one year:** Death-cum-Retirement Gratuity, Family Pension from the date of FIR/complaint and other dues as admissible to the missing Government employee. The nominees/dependants should furnish Indemnity Bond that all payments shall be adjusted against the payment due to the missing person in case he/she appears on the scene at a later date and makes claims.
- (3) **After the death is established or seven years:** Subject the production of proper and indisputable proof of death or Decree of the Court, final settlement of Death-cum-Retirement Gratuity including insurance, if any, and family pension if admissible may be sanctioned under the rules.
- (4) **When missing after committing fraud, etc:** The claim or benefits can be sanctioned only on the concerned Government employee has been acquitted by the Court or after the conclusion of disciplinary proceedings.

B. K. DEV VARMA,

Addl. Chief Secretary to the Govt. of Meghalaya,
Finance Department.

The 15th November, 2010.

ANNEXURE I

No GAA.78/2010/54 - The Governor of Meghalaya is pleased to declare that the offices under the Government of Meghalaya and All Revenue and Magisterial Courts in Meghalaya shall be closed on the following days of the year 2011.

GENERAL HOLIDAYS

Sl No	Gregorian Calendar	National Calendar (SAKA-ERA)	Days of the week	Name of the Festivals	No of day(s)
1.	1 st January, 2011	11 Pausa 1932 (S.E)	Saturday	New Year's Day	1 (one) Day
2.	26 th January, 2011	6 Magha 1932 (S.E)	Wednesday	Republic Day	1 (one) Day
3.	20 th March, 2011	29 Phalguna 1932 (S.E)	Sunday	Holi	1(one) Day
4.	22 nd April, 2011	2 Vaisakha 1933 (S.E)	Friday	Good Friday	1(one) Day
5.	8 th July, 2011	17 Asadha 1933 (S.E)	Friday	Beh Deinkhlam	1 (one) Day
6.	17 th July, 2011	26 Asadha 1933 (S.E)	Sunday	U Tirot Sing Day	1 (one) Day
7.	15 th August, 2011	24 Sravana 1933 (S.E)	Monday	Independence Day	1 (one) Day
8.	31 st August, 2011	9 Bhadra 1933 (S.E)	Wednesday	Id-Ul-Fitre	1(one) Day
9	2 nd October, 2011	10 Asvina 1933 (S.E)	Sunday	Birth Anniversary of Mahatma Gandhi	1(one) Day
10.	4 th October, 2011	12 Asvina 1933 (S.E)	Tuesday	Maha Astami	1(one) Day
11.	5 th October, 2011	13 Asvina 1933 (S.E)	Wednesday	Maha Navami	1(one) Day
12.	6 th October, 2011	14 Asvina 1933 (S.E)	Thursday	Vijaya Dashami and Dussehra	1(one) Day
13.	26 th October, 2011	4 Kartika 1933 (S.E)	Wednesday	Kalipuja and Diwali (Deepawali)	1(one) Day
14.	7 th November, 2011	16 Kartika 1933 (S.E)	Monday	Id-Uz-Zuha (Bakrid)	1(one) Day
15.	11 th November, 2011	20 Kartika 1933 (S.E)	Friday	Wangala Festival	1(one) Day
16.	23 rd November, 2011	2 Agrahayana 1933(S.E)	Wednesday	Seng Kut Snem	1(one) Day
17.	12 th December 2011	21 Agrahayana 1933 (S.E)	Monday	Pa-Togan Nengminza Sangma	1(one) Day
18.	18 th December 2011	27 Agrahayana 1933 (S.E)	Sunday	Death Anniversary of U Soso Tham	1(one) Day
19.	24 th December 2011	3 Pausa 1933 (S.E)	Saturday	Christmas Festival	1(one) Day
20.	25 th December 2011	4 Pausa 1933 (S.E)	Sunday	Christmas Festival	1(one) Day
21.	26 th December 2011	5 Pausa 1933 (S.E)	Monday	Christmas Festival	1(one) Day
22.	27 th December 2011	6 Pausa 1933 (S.E)	Tuesday	Christmas Festival	1(one) Day
23.	30 th December 2011	9 Pausa 1933 (S.E)	Friday	U Kiang Nangbah	1(one) Day

(b) Public Holidays under Negotiable Instruments Act 1881 are issued under Notification No. GAA. 78/2010/54, dated the 15th November, 2010.

LOCAL HOLIDAYS

The Deputy Commissioners are authorized to declare a maximum of 3(three) days only as local holidays within their respective jurisdiction on the following occasions during 2011 except for the East Khasi Hills District where State Government in GAD will declare the Local Holidays.

- (1) 53rd Garo Labour Corp Day 2. Shad Nongkrem 3. Shad Suk Mynsiem 4. Unitarian Anniversary Day 5. Any other Festival of Local significance.

RESTRICTED HOLIDAYS

Sl No.	Gregorian Calendar	National Calendar (SAKA-ERA)	Days of the week	Name of the Festival	No of day(s)
1.	15 th April, 2011	25 Chaitra 1933 (S.E)	Friday	Assamese New Year's Day	1 (one) Day
2.	1 st May, 2011	11 Vaisakha 1933 (S.E)	Sunday	May Day	1 (one) Day
3.	17 th May, 2011	27 Vaisakha 1933 (S.E)	Tuesday	Buddha Purnima.	1(one) Day
4.	30 th August, 2011	8 Bhadra 1933 (S.E)	Tuesday	Tithi of Srimanta Sankar Dev	1(one) Day
5.	1 st September, 2011	10 Bhadra 1933 (S.E)	Thursday	Ganesh Charturthi/Vinayaka	1(one) Day
6.	3 rd October, 2011	11 Asvina 1933 (S.E)	Monday	Maha Saptami	1(one) Day
7.	11 th October, 2011	19 Asvina 1933 (S.E)	Tuesday	Lakhi Puja	1(one) Day
8.	2 nd November, 2011	11 Kartika 1933 (S.E)	Wednesday	All Soul's Day	1 (one) Day
9.	10 th November, 2011	19 Kartika 1933 (S.E)	Thursday	Guru Nanak's Birth Day	1 (one) Day
10.	6 th December, 2011	15 Agrahayana 1933 (S.E)	Tuesday	Muharam	1 (one) Day

The 15th November, 2010.**ANNEXURE II**

No.GAA.78/2010/54. - In exercise of the power conferred by Section 25 of the Negotiable Instrument, Act 1881(Act 26 of 1881) read with the Govt. of India, Ministry of Home Affairs Notification No 21/8/72 Judl, the 6th April, 1972, the Governor of Meghalaya is pleased to declare the following days to be Public Holidays in the State of Meghalaya during the year 2011.

HOLIDAYS UNDER NEGOTIABLE INSTRUMENTS ACT 1881

Sl No	Gregorian Calendar	National Calendar (Saka-Era)	Days of the week	Name of the Festivals	No of day(s)
1.	1 st January 2011	11 Pausa 1932 (S.E)	Saturday	New Year's Day	1(one) Day
2.	26 th January, 2011	6 Magha 1932 (S.E)	Wednesday	Republic Day	1(one) Day
3.	20 th March, 2011	29 Phalguna 1932 (S.E)	Sunday	Holi .	1(one) Day
4.	1 st April , 2011	11 Chaitra 1933 (S.E)	Friday	Yearly Closing of Bank Account	1 (one) Day
5.	22 nd April, 2011	12 Chaitra 1933 (S.E)	Friday	Good Friday	1 (one)Day
6.	8 th July, 2011	22 Asadha 1933 (S.E)	Friday	Behdeinkhlam	1(one) Day
7.	17 th July 2011	26 Asadha 1933 (S.E)	Sunday	U Tirot Sing Day	1(one) Day
8.	15 th August, 2011	24 Sravana 1933 (S.E)	Monday	Independence Day	1(one) Day
9.	31 st August, 2011	9 Bhadra 1933 (S.E)	Wednesday	Ud-Ul-Fitre	1(one) Day
10.	30 th September, 2011	8 Asvina 1933 (S.E)	Friday	Half Yearly closing of Bank Account.	1(one) Day
11.	2 nd October, 2011.	10 Asvina 1933 (S.E)	Sunday	Birth Anniversary of Mahatma Gandhi.	1(one) Day
12.	4 th October, 2011	12 Asvina 1933 (S.E)	Tuesday	Maha Astami	1(one) Day
13.	5 th October, 2011	13 Asvina 1933 (S.E)	Wednesday	Maha Navami	1(one) Day
14.	6 th October, 2011.	14 Asvina 1933 (S.E)	Thursday	Vijaya Dasami and Dussehra.	1(one) Day
15.	26 th October, 2011	4 Kartika 1933 (S.E)	Wednesday	Kali Puja and Diwali.	1(one) Day
16.	7 th November, 2011	16 Kartika 1933 (S.E)	Monday	Id-Uz-Zuha.	1(one) Day
17.	11 th November, 2011	20 Kartika 1933 (S.E)	Friday	Wangala Festival	1(one) Day
18.	23 rd November, 2011	2 Agrahayana 1933 (S.E)	Wednesday	Seng Kut Snem	1(one) Day
19.	12 th December, 2011	21 Agrahayana 1933 (S.E)	Monday	Pa Togan Nengminza Sangma	1(one) Day
20.	18 th December, 2011	27 Agrahayana 1933 (S.E)	Sunday	Death Anniversary of U Soso Tham	1(one) Day
21.	25 th December 2011	4 Pausa 1933 (S.E)	Sunday	Christmas Festival	1(one) Day
22.	26 th December, 2011	5 Pausa 1933 (S.E)	Monday	Christmas Festival	1(one) Day
23.	30 th December, 2011	9 Pausa 1933 (S.E)	Friday	U Kiang Nangbah	1(one) Day

N.B. (a) Holidays to be observed in the State Government Offices and all Magisterial Court in Meghalaya are issued under Notification, No GAA.78/2010/54 , dated 15th November, 2010.

(b) Yearly Closing of Bank Account and Half Yearly Closing of Bank Account are meant for Banks only.

D. LYNDOH,

Under Secretary to the Government of Meghalaya
General Administration [A] Department.